

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

MICHAEL SHERMAN,	)	
	)	
Plaintiff,	)	
	)	Case No. 05-11545-NG
VISION LAB TELECOMMUNICATIONS,	)	
INC., et al.,	)	
	)	
	)	
Defendants.	)	

**ASSENTED TO MOTION TO RESCHEDULE STATUS CONFERENCE**

Now come Vision Lab Telecommunications, Inc. (“Vision Lab”) and Michael Sherman (“Plaintiff”) (together “the Parties”) and respectfully request that the status conference currently scheduled for Thursday, January 5, 2006 at 2:45 p.m. be continued until either Tuesday, January 10, Wednesday, January 11, or Thursday, January 12, whichever date the Court finds most convenient. The reasons for this request are the following:

1. Vision Lab is the sole remaining defendant in this matter.
2. Vision Lab’s counsel has an oral argument scheduled in a matter pending in Middlesex Superior Court (*Weitzner v. Cynosure*, C.A. No. 05-1778) for the afternoon of January 5, and thus would not be able to attend the status conference scheduled in the instant matter for that date.
3. Upon discovering this scheduling conflict, Vision Lab’s counsel notified the Clerk assigned to this matter, who instructed Vision Lab’s counsel to file a motion to reschedule the status conference.
4. Plaintiff’s counsel has assented to and joins in this Motion.

WHEREFORE, the Parties respectfully request that this honorable Court reschedule the status conference currently scheduled for Thursday, January 5, 2006 at 2:45 p.m. for either Tuesday, January 10, Wednesday, January 11, or Thursday, January 12.

Dated: December 13, 2005

VISION LAB TELECOMMUNICATIONS, INC.,

By its attorneys,

/s/ Richard M. Zielinski  
Richard M. Zielinski (BBO #540060)  
GOULSTON & STORRS, P.C.  
400 Atlantic Avenue  
Boston, MA 02110-3333  
(617) 482-1776

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

I hereby certify that I have spoken with Plaintiff's counsel, Walter Oney, Esq., who assents to this motion.

/s/ Ethan A. McKittrick  
Ethan A. McKittrick (BBO #655392)

**CERTIFICATE OF SERVICE**

I, Ethan A. McKittrick, hereby certify that on December 13, 2005 a true copy of the above document was served upon the following parties by the method indicated:

**By automatic electronic notice:**

Walter Oney, Attorney for Michael Sherman

**By certified mail:**

Tomas Wawra  
Vision Lab Telecommunications, Inc.  
c/o Venali  
One Columbus Center  
One Alhambra Plaza, Suite 800  
Coral Gables, FL 33134

Douglas O'Keefe  
Vision Lab Telecommunications, Inc.  
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**By first class mail, postage prepaid:**

Samuel S. Cohen  
Neal Gerber Eisenberg LLC  
2 North LaSalle Street  
Suite 2200  
Chicago, IL 60602

/s/ Ethan A. McKittrick  
Ethan A. McKittrick (BBO #655392)